

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
WINNICKA) Art Unit: 1793
)
Application No. 10/526,480) Examiner: Kessler, Christopher S.
)
PCT Filing Date: September 4, 2003) Confirmation No. 1082
§ 371 Filing Date: March 4, 2005)
)
FOR: **METHOD OF FORMING NON-SAG**)
MOLYBDENUM-LANTHANA)
ALLOYS)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &
INGERSOLL, LLP
Customer No. 23859

December 30, 2008

Dear Sir:

Claims 1-17 of the present application having been twice rejected, Applicant hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 30, 2008.

The item(s) checked below are appropriate:

1. An extension of time to respond to the non-final rejection:
(a) was obtained for _____ month(s).
(b) is requested herewith under 37 C.F.R. § 1.136.
2. A credit card payment is submitted herewith via EFS Web in the amount of \$1,650.00. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

**ATTORNEY DOCKET NO. 07194.0101U1
APPLICATION NO. 10/526,480**

- Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$540.00 for a large entity.
- Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(3) = \$1,110.00 – three month extension of time fee.

Respectfully submitted,

BALLARD SPAHR ANDREWS &
INGERSOLL, LLP

/Kevin W. Hathcock/

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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person (Print/Type)	Kevin W. Hathcock		
Signature	/Kevin W. Hathcock/	Date	December 30, 2008